

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEVIN HOLOHAN, <i>et al.</i>,	:	
	:	
Plaintiffs,	:	CIVIL ACTION
	:	
v.	:	NO. 20-5903
	:	
MID-CENTURY INSURANCE COMPANY, <i>et al.</i>,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 27th day of September, 2021, upon consideration of Defendants' Motion to Dismiss Counts II, III, VII, VIII, and Dismiss All Claims against Defendants Harman and Eckles (ECF No. 5), Plaintiffs' Response in Opposition (ECF No. 12), Defendants' Reply in Support (ECF No. 14-1), Plaintiffs' Motion to Remand (ECF No. 10), Plaintiffs' Amended Memorandum in Support of Motion to Remand (ECF No. 11), and Defendants' Response in Opposition (ECF No. 15) **IT IS HEREBY ORDERED AND DECREED** that:

1. Plaintiff's Motion to Remand (ECF No. 10) is **DENIED**.
2. Defendant's Motion to Dismiss (ECF No. 5) is **GRANTED IN PART**. Plaintiff's claims against Defendants Timothy Harman and Patrick Eckles under Counts I, II, III, and VIII are **DISMISSED WITH PREJUDICE**. Counts III and VIII related to violations of the UTPCPL are **DISMISSED WITHOUT PREJUDICE**. Defendants' Motion to Strike is **DENIED**. Plaintiffs' Counts II and VII for statutory bad faith remain as to Defendant Mid-Century Insurance Company.¹

BY THE COURT:

/s/ Petrese B. Tucker

**_____
Hon. Petrese B. Tucker, U.S.D.J.**

¹ This Order Accompanies the Court's Memorandum dated September 27th, 2021.